

Nalco Docket No. 7701  
Customer Number: 49459

REMARKS

Claims 1 to 10 and 12 to 22 are pending in this Application.

Claims 1 to 10 and 12 to 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,762,832 B2 to Fisher et al. ("Fisher") in view of U.S. Patent No. 5,278,074 to Rao et al. ("Rao") and U.S. Patent No. 5,922,606 to Jenkins et al. ("Jenkins") and U.S. Patent No. 6,436,711 B1 to Davis et al. ("Davis").

The Examiner relies on Davis for the contention, "Davis et al. evidences that is was known in the art at the time of the invention to employ a fluorometer for measuring inhibitor concentrations in a fluid stream wherein the fluorometer has a xenon flashlamp light source." (Office Action at page 4). MPEP § 2143.03 makes clear that to establish a prima facie case of obviousness, all the claimed limitations must be taught or suggested by the prior art.

Applicants submit herewith a Declaration under 37 C.F.R. § 1.131, signed by inventors Brian V. Jenkins and John E. Hoots, which shows completion of the claimed invention prior to the August 15, 2002 Effective Date of Davis.

Accordingly, in view of the foregoing and the enclosed Declaration, Applicants respectfully request withdrawal of the rejection of Claims 1 to 10 and 12 to 22 under 35 U.S.C. 103(a).

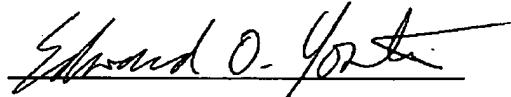
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CONCLUSION

In view of the foregoing remarks, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 103(a). Applicants respectfully assert that all pending claims in this Application are in condition for allowance. Should the Examiner have any questions or comments as to form, content, or entry of this paper, or if any further issues yet to be resolved to advance prosecution of this Application to issue, the Examiner is requested to telephone the undersigned counsel.

Entry of this paper and allowance of all pending Claims 1 to 10 and 12 to 22 is respectfully requested. Applicants earnestly solicit early notice to this effect.

Respectfully Submitted,



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